

REMARKS

Claims 1-27 are pending in the application, with claims 1, 8, 10, 20, 22, and 25 being independent. Claims 1, 8, 10, and 20 have been amended and new claims 22-27 have been added by this response. Reconsideration and allowance of Applicants' claims are respectfully requested in light of the amendment and the following remarks.

Applicant and Applicants' representatives wish to thank Examiner Nguyen for the courtesy extended during the interview of March 30, 2005. The following remarks are made in light of the interview.

The drawings were objected to under 37 CFR § 1.83(a) as failing to show every feature of the invention, and, in particular, failing to show a power source. As pointed out during the interview, Fig. 1, for example, clearly shows a power source supplied to the circuit indicated by the Voltage VDD. Therefore, reconsideration and withdrawal of this objection is respectfully requested.

The specification was objected to as failing to disclose a power source. Applicant points out that a power source is described in the specification in numerous instances, including paragraph 17, line 4 and paragraph 19, lines 11-19 as voltage source VDD. Therefore, it is respectfully requested that the objection to the specification be reconsidered and withdrawn.

Claims 1-21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. In particular, Applicants were requested to clarify what is intended by the language "not including a microprocessor." It was suggested that Applicants' Figs. 1 and 2 "include microprocessor in the form of a logic circuit." It is respectfully submitted that this rejection has been rendered moot by deleting this language from the claims. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1 and 10 were rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent Application No. 2002/0149484 to Carrender (Carrender). This rejection is respectfully traversed.

Applicants' claims are directed generally, for example, to an RFID tagging and tracking system that provides a novel binary identification system to prevent data collision between tags in close proximity. An RFID interrogator transmits multiple, unmodulated continuous wave (CW) signals over an area to elicit a response from a desired RFID.

Applicants' claim 1 recites, among other things, "A far field radio frequency identification (RFID) tag responsive to a plurality of continuous wave (CW), unmodulated signals selected from frequencies comprising a predetermined frequency band." Similarly, Applicants' claim 10 recites, among other things, "a plurality of continuous wave (CW), unmodulated signals selected from frequencies comprising a predetermined frequency band, the system including a RFID interrogator generating a group of CW unmodulated signals corresponding to a RFID tag." It is respectfully submitted that Carrender does not describe or suggest at least these elements of Applicant's claims.

As pointed out during the interview, Carrender describes a RFID interrogator that transmits **modulated** signals (e.g., frequency, amplitude, and phase modulated) to encode information that is decoded by the RFID tag. The RFID tag modulates and reflects the transmitted signal back to the interrogator. As a result, Carrender does not describe or suggest Applicants' claimed invention using a plurality of CW, **unmodulated** signals, to which Examiner Nguyen agreed during the interview (see PTOL-413 dated 30 March 2005).

It is respectfully submitted that Carrender does not support a *prima facie* case of obviousness with regard to Applicants' claimed invention, as Carrender does not describe or suggest all features of Applicants' claims. Therefore, it is respectfully requested that the rejection of claims 1 and 10 be reconsidered and withdrawn.

It is respectfully submitted that all claims are in condition for allowance, and early notice of the same is respectfully solicited. If any questions remain, the Examiner is invited to contact the undersigned attorney at the telephone number listed above.